

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA)	
)	Case No. 1:19-cr-12
v.)	
)	Judge Travis R. McDonough
SHASTA EZELL)	
)	Magistrate Judge Christopher H. Steger
)	

ORDER

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation (Doc. 33) recommending that the Court: (1) grant Defendant’s motion to withdraw her not-guilty plea to Count Two of the two-count Indictment; (2) accept Defendant’s guilty plea to Count Two of the two-count Indictment; (3) adjudicate Defendant guilty of possession with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C); and (4) order that Defendant remain in custody pending further order of this Court.

After reviewing the record, the Court agrees with Magistrate Judge Steger’s report and recommendation.¹ Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge’s report and recommendation (Doc. 33) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

¹ Defendant requested a re-arraignment and resentencing on the same day due to her physical condition, and the Court accommodated her request. Although the fourteen-day objection period has not yet lapsed, by not objecting to the magistrate judge’s report and recommendation prior to the sentencing in this matter, the parties are **DEEMED** to have waived any objection to the report and recommendation.

1. Defendant's motion to withdraw her not-guilty plea to Count Two of the two-count Indictment is **GRANTED**;
 2. Defendant's plea of guilty to Count Two of the two count Indictment is **ACCEPTED**;
 3. Defendant is hereby **ADJUDGED** guilty of possession with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C); and
 4. Defendant **SHALL REMAIN** in custody pending further order of this Court.
 5. Sentencing took place before the undersigned on **September 20, 2019 at 10:00 a.m.**
- SO ORDERED.**

/s/ Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE